

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

168th and DODGE, L.P., a Nebraska,
Limited Partnership f/k/a BROWN
INVESTMENT PARTNERSHIP, LTD., and
RED DEVELOPMENT OF WEST DODGE,
LLC, a Missouri Limited Liability Company,

Plaintiffs,

vs.

RAVE REVIEWS CINEMAS, LLC,
a Texas Limited Liability Corporation,

Defendant.

MOTION TO COMPEL
AND REQUEST FOR
ORAL ARGUMENT

COMES NOW the Plaintiffs pursuant to Fed.R.Civ.P. 37 and 45 and move for an order compelling Boston Ventures Management, Inc. to fully respond to Plaintiffs' subpoena duces tecum and to require Boston Ventures to fully answer questions posed to its corporate representative during the Rule 30(b)(6) deposition of Elizabeth Granville-Smith. Plaintiffs seek its costs and expenses incurred as a result of this motion.

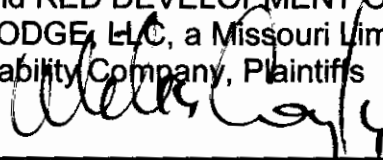
Plaintiffs' counsel certify that they conferred in good faith with opposing counsel to resolve the issue prior to filing this motion.

REQUEST FOR ORAL ARGUMENT

Plaintiffs believe that oral argument may assist the court and Plaintiffs wishes to be heard via telephonic hearing.

168th and DODGE, L.P., a Nebraska
Limited Partnership f/k/a BROWN
INVESTMENT PARTNERSHIP, LTD,
and RED DEVELOPMENT OF WEST
DODGE, LLC, a Missouri Limited
Liability Company, Plaintiffs

BY:


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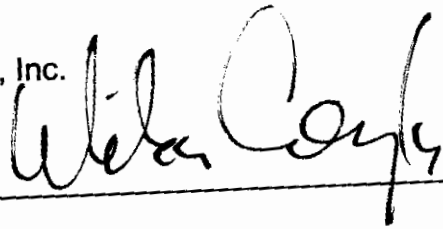
CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2005, I served the foregoing on the following individuals via regular United States Mail:

Edward G. Warin
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A handwritten signature in black ink, appearing to read "Edward G. Warin", is written over a horizontal line.

388583

FRASER STRYKER MEUSEY OLSON BOYER & BLOCH P.C.

DATE: 07/20/05 PAYEE: US DISTRICT COURT

VENDOR #: 100080

CHECK #: 118790

VOUCHER #	INVOICE #	INV. DATE	INV. AMOUNT	COMMENTS	AMT. PAID
34534	07.20.05	07/20/05	50.00		50.00

CHECK TOTAL: 50.00

FRASER, STRYKER, MEUSEY, OLSON, BOYER & BLOCH PC
500 Energy Plaza 409 South 17th Street
Omaha, Nebraska 68102-2663

DATE 07/20/05

CHECK NO. 118790

OPERATING ACCOUNT
US BANK
1700 FARNHAM
OMAHA, NE 68102

PAY FIFTY AND 00/100

\$50.00

TO THE US DISTRICT COURT
ORDER OF DISTRICT OF MASSACHUSETTS

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